

AMENDMENTS TO THE DRAWINGS

The drawings have been corrected to add a reference numeral "611" referring to a "wire, a laser, or RF signal." REPLACEMENT drawing sheets are being submitted with a separate letter to the Office Draftsman. An "Annotated Marked-Up Drawing" sheet for 4/4 with change noted in red is also being submitted.

### REMARKS/ARGUMENTS

The Office Action mailed August 15, 2005 has been carefully reviewed. Reconsideration of this application, as amended and in view of the enclosed Declarations and the following remarks, is respectfully requested. The claims presented for examination are: claims 1-17.

#### Specification

In numbered paragraphs 1 and 2 of the Office action mailed August 15, 2005, the specification was objected to because of enumerated informalities.

Applicants have amended the specification to correct the informalities. The corrected paragraphs are set out above. In particular, the amended paragraphs correct the following informalities:

Paragraph [0032]: the "method 300" has been changed to the "method 500";

Paragraph [0033]: the "step 301" has been changed to the "step 501";

Paragraph [0034]: the "step 303" has been changed to the "step 503";

Paragraph [0041]: has been changed to read, "Electronics, generally indicated by the reference numeral 601 within the eye 604 receives the image 609 signal and send it to the electrode array designated by the reference numerals 602 and 603";

Paragraph [0041]: "laser or RF signal 52" has been changed to "laser or RF signal 611;" and

Paragraph [0055]: "approximately a1000 electrodes" has been changed to "approximately 1000 electrodes."

#### Drawings

In numbered paragraph 3 of the Office action mailed August 15, 2005, the drawings were objected to because "they do not include the following reference

sings(s) mentioned in the descriptions: reference numeral 52 referring to a "wire, a laser, or RF signal" (page 19, paragraph 43, line 2) found in Figure 6."

The drawings have been corrected to add a reference numeral "611" referring to a "wire, a laser, or RF signal" mentioned in the specification. Corrected drawing sheets are being submitted with a separate letter to the Office Draftsman.

#### **Allowable Subject Matter**

In numbered paragraph 5 of the Office action mailed August 15, 2005, claims 5 and 8-17 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Applicants appreciate this indication of allowability.

In numbered paragraphs 7 and 9 of the Office action mailed August 15, 2005, claims 1, 2, 3, 4, 6, and 7 were rejected 35 U.S.C. 102(e) as being anticipated by Byers et al (U.S. Patent No. 6,792,314) and under 35 U.S.C. 103(a) as being unpatentable over Byers et al (U.S. Patent No. 6,792,314) in view of Pinchuk (U.S. Patent No. 5,741,331). These claims have been amended and the 35 U.S.C. 102(e) and 35 U.S.C. 103(a) rejections do not apply to the amended claims.

Applicants have amended independent claim 1, the only independent claim in the application. The amended independent claim 1 now includes all of the limitations of the claim 5 and there are no intervening claims. Original claim 5 was dependent upon claim 1. Original claim 5 has been cancelled. Original claim 3 has been cancelled and all of the remaining other claims depend from amended claim 1.

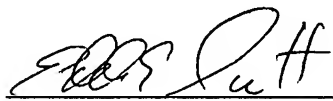
Applicants submit that with the amendment of independent claim 1 to include all of the limitations of allowed claim 5, amended independent claim 1 is

now allowable and that all of the claims that depend from amended independent claim 1 are also allowable.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments, the enclosed Declarations, and the foregoing remarks, the rejections of the claims raised in the Office Action dated August 15, 2005 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,



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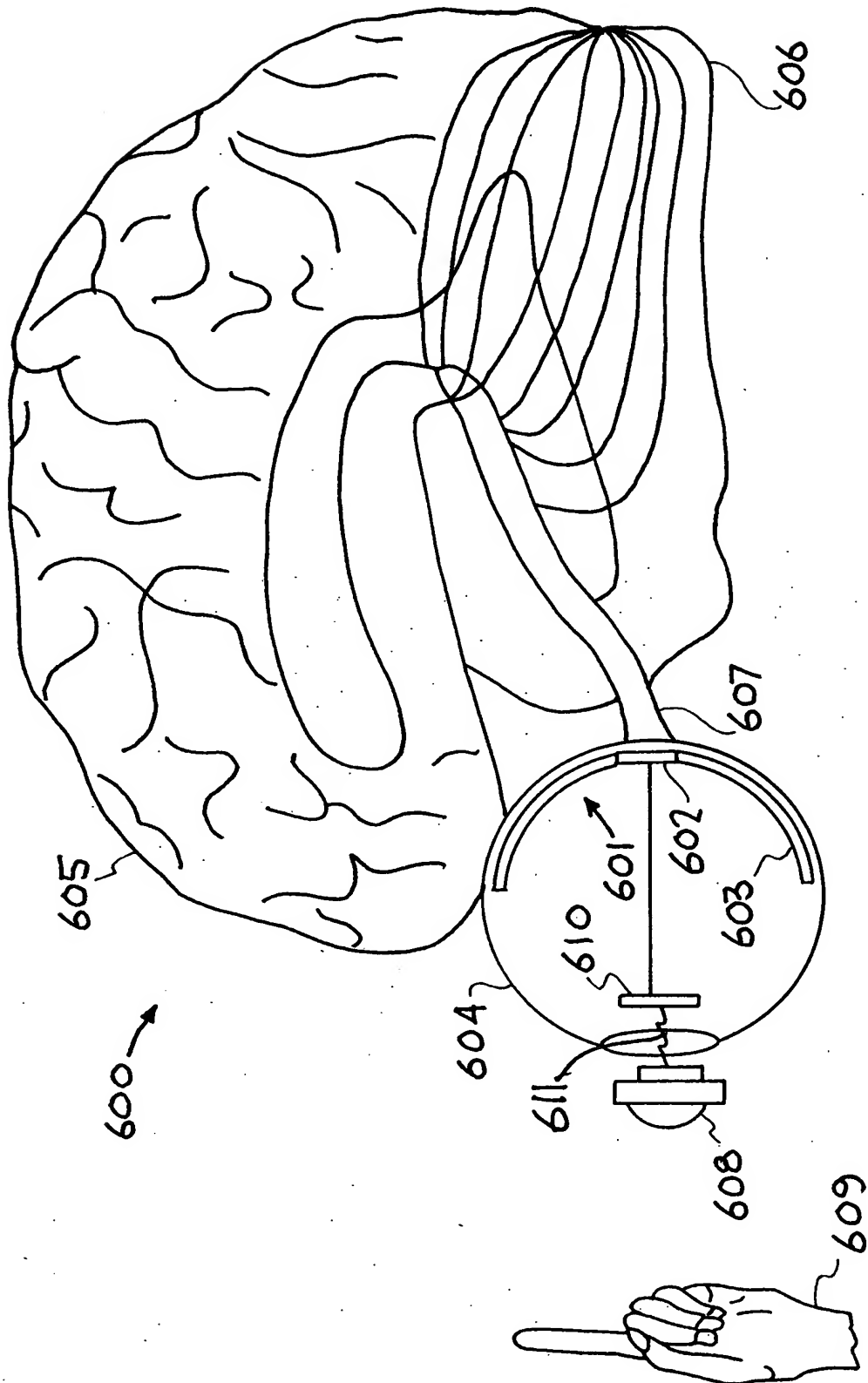


FIG. 6